

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of April 29, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

In the Office Action, Claims 1-4, 8-15, 19, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,366,302 to Crosby, *et al.* (hereinafter Crosby) in view of U.S. Patent 6,529,218 to Ogawa, *et al.* (hereinafter Ogawa).

Claim Amendments

As an initial matter, Applicants wish to express their thanks for the Examiner's articulate reply to Applicants' previously submitted arguments. Applicants' have relied on the response in amending the claims to more clearly emphasize differences between embodiments of their invention and the cited references.

Although Applicants have amended certain claims and cancelled others, Applicants have done so solely to expedite prosecution of the present application. Applicants respectfully note that neither the amendments nor the cancellations are intended as an admission that any subject matter is unpatentable, and Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

In particular, Applicants have amended independent Claim 1 and cancelled Claims 10-20. The claim amendments, as discussed herein, are fully supported throughout the Specification. No new matter has been introduced by virtue of any of the claim amendments.

Aspects Of The Claims

Claim 1 is directed to a method for indicating that a content page is scrollable.

The method can include displaying at least a portion of a content page within a display area of a graphical user interface (GUI), wherein the displayed portion of the content page occupies all of the display area. The method also can include determining whether the displayed content page is scrollable in at least one direction. The method further can include displaying, in response to the determination, at least one flyover within the display area so as to indicate the at least one direction that the displayed content page is scrollable.

More particularly, the at least one displayed flyover can be a GUI object independent of the displayed content page. According to a particular embodiment, the at least one displayed flyover overlaps a portion of textual content and/or one or more images shown in the displayed portion of the content page. (See, e.g., paragraph [0018]; see also FIGS. 1A-D.) The at least one displayed flyover can thus occlude the textual content and one or more images of the overlapped portion of the displayed portion of the content page.

The method can further include detecting an occurrence of a scroll event, and in response to the detection, discontinuing the display of the at least one flyover.

The Claims Define Over The Cited References

Claim 1, as already noted, was rejected as being as being unpatentable over Crosby in view of Ogawa. Crosby is directed to a GUI for mobile radiotelephones, in which the GUI includes for each menu selection a title, an end-of-list indicator, and a dynamic scroll indicator. (See Abstract.) Applicants respectfully submit, however, that Crosby fails to disclose or suggest each and every element recited in Claim 1, as amended.

Crosby fails to disclose or suggest, for example, the use of a flyover that occludes textual content and/or one or more images that other appear in an overlapped portion of the content page. Indeed, as noted in Applicants' previous response, Crosby in fact points

away from such a feature by explicitly rejecting the notion that any part of the content page should be purposely occluded by a flyover or any other kind of scroll indicator. Crosby discloses that the amount of space taken up by a flyover or scroll indicator ought to be *minimized*, the purpose being so as to obscure from a view any portion of the display of the GUI.

For example, as Applicants also previously noted, Crosby points out that display for non-latin characters can require an increased number of pixels per line, making the display of the scroll indicator difficult without occluding parts of the displayed menu. (See, col. 7, lines 46-60.) In such cases, rather than occlude the menu, Crosby seeks to minimize the scroll by providing a miniature scroll indicator that is placed in a different region of the GUI than that where text or images are displayed (see, e.g., FIG. 5). Crosby rejects the notion of providing scroll indicators in the display region of the page content. More significantly, Crosby is first and foremost configured so as not to overlap or otherwise occlude an textual portion or images of the displayed page content.

Crosby fails to teach or suggest a flyover placed within the display area of the content page or overlapping the content so as to occlude textual content or images. The claims as presently formulated, by contrast, recite that the flyover is not an element that is placed alongside the display area or in some other part of the GUI, but rather is displayed within the display area for content page. In this arrangement, textual and/or images are occluded.

Such a configuration is advantageous because the arrangement does not require the setting aside of a specific, predetermined region of the GUI. As a result, the amount of area being used for displaying the content page is maximized. Moreover, the configuration does not require that a user search in other portions of the GUI for an icon indicating whether or not the content page is scrollable. This is in stark contrast to Crosby, which relies on a minimizing of the size of scroll indicators rather than

presentment of the claimed flyover in the display area for the content page, as recited in amended Claim 1.

Ogawa does not teach or suggest those features lacking in Crosby. Accordingly, Crosby and Ogawa, alone or in combination, fail to teach or suggest every element recited in independent Claim 1. Applicants therefore respectfully submit that the independent claim defines over the prior art. Applicants further respectfully submit that whereas each of the remaining claims depends from Claims 1 while reciting additional limitations, the remaining dependent claims likewise define over the cited references.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Date: July 29, 2008

/Richard A. Hinson/

Gregory A. Nelson, Registration No. 30,577

Richard A. Hinson, Registration No. 47,652

Customer No. 40987

Post Office Box 3188

West Palm Beach, FL 33402-3188

Telephone: (561) 653-5000